

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH McDANIELS, et al.,)	CASE NO. C09-1296-JCC-MAT
)	
Plaintiffs,)	ORDER GRANTING IN PART
)	PLAINTIFF MOMAH'S MOTION
v.)	FOR AN EXTENSION OF TIME,
)	DENYING AS MOOT PLAINTIFF
DAVID SHERMAN)	MCDANIELS' MOTION TO
)	COMPEL, AND CAUTIONING MR.
Defendant.)	MCDANIELS
_____)	

There are three pro se plaintiffs in this matter: Joseph McDaniels, Charles Momah, and Robert Leake. Mr. Momah moves to extend the discovery deadline. (Dkt. 36.) Mr. McDaniels moves to compel discovery. (Dkt. 34.) The Court also notes that Mr. McDaniels, a non-attorney, has filed a pending motion for summary judgment in which he purports to represent all of the *pro se* plaintiffs. (Dkt. 40, at 1, 7.) For the reasons stated below, the Court ORDERS: (1) Mr. Momah's motion to extend the discovery deadline (Dkt. 36) is GRANTED in part; (2) defendant David Sherman is directed to respond to all discovery requests he received prior to March 11, 2010; (3) Mr. McDaniels' motion to compel (Dkt. 34) is DENIED as moot; (4) the dispositive-motions deadline is extended to May 28, 2010; (5) Mr. McDaniels

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01 is cautioned again that as a pro se plaintiff he may not represent other parties in this action; and
02 (6) the Clerk is directed to modify the docket entry for Mr. McDaniels' motion for summary
03 judgment (Dkt. 40) to note that it has been filed on Mr. McDaniels' behalf alone.

04 (1) Defense counsel is correct that Mr. Momah requested discovery approximately a
05 day after he should have, and never sought, in accordance with Federal Rule of Civil Procedure
06 37(2)(b), to meet and confer with defendant prior to bringing his motion. The Court notes,
07 however, that this is Mr. Momah's first motion for an extension of the discovery deadline, and
08 the record indicates that he may be under the mistaken impression that Mr. Mr. McDaniels has
09 the legal authority to file papers on his behalf. The Court therefore exercises its discretion to
10 grant in part Mr. Momah's motion to extend discovery. The Court will entertain no further
11 motions to extend the discovery deadline.

12 (2) The Court does not, however, permit a blanket extension of the discovery
13 deadline. Defendant is directed to respond to all discovery requests that were received prior to
14 March 11, 2010. Defendant need not respond to any discovery requests received after March
15 11, 2010.

16 (3) Because defendant has been directed to respond to all discovery requests
17 received prior to March 11, 2010, Mr. McDaniels' motion to compel is denied as moot.

18 (4) The Court extends the dispositive-motions deadline to May 28, 2010, to that
19 defendant may respond to plaintiffs' discovery requests and plaintiff may review defendant's
20 responses.

21 (5) The first sentence of Mr. McDaniels's motion for summary judgment states that
22 "Plaintiffs McDANIELS, MOMAH, and LEAKE move [] for summary judgment." (Dkt. 40, at

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01 1.) The motion is signed by Mr. McDaniels alone. (Id. at 7.) Mr. McDaniels has already
02 been warned that he, as a non-attorney proceeding pro se, has no authority to appear as an
03 attorney for other parties. (Dkt. 27, at 2); *Johns v. County of San Diego*, 114 F.3d 874, 876 (9th
04 Cir. 1997). The Court hereby cautions Mr. McDaniels that if he files any other papers in which
05 he purports to represent the other plaintiffs the Court will consider sanctions or a contempt
06 order.

07 (6) The Clerk is directed to modify the docket entry for Mr. McDaniels' motion for
08 summary judgment (Dkt. 40) to note that it has been filed on Mr. McDaniels' behalf alone. If
09 Mr. Momah and Mr. Leake seek to join Mr. McDaniels' motion for summary judgment, they
10 must file signed papers to that effect by the dispositive motions deadline.

11 The Clerk is directed to send copies of this Order to plaintiffs and to the Honorable John
12 C. Coughenour.

13 DATED this 30th day of March, 2010.

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16 Mary Alice Theiler
17 United States Magistrate Judge
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